

favoring passage of Hepburn bill relating to the interstate liquor traffic—to the Committee on Interstate and Foreign Commerce.

Also, letter from the Cudahy Packing Company, of South Omaha, Nebr., protesting against passage of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Virginia: Petition of William Phillips, of Spottsylvania County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LLOYD: Paper to accompany claim of D. W. Price—to the Committee on Claims.

By Mr. MARSH: Petition of citizens of Moline, Ill., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MIERS of Indiana: Papers to accompany bill for the relief of James L. East—to the Committee on Invalid Pensions.

By Mr. SKILES: Paper to accompany bill to remove charge of desertion from record of Edward Merrel—to the Committee on Military Affairs.

Also, papers to accompany bill granting increase of pension to William A. Ritchey—to the Committee on Invalid Pensions.

By Mr. WACHTER: Papers to accompany bill (H. R. 5649) granting increase of pension to Augustus A. Rhodrick—to the Committee on Invalid Pensions.

By Mr. WANGER: Papers to accompany bill granting increase of pension to George F. Bailey—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, December 19, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. MATTHEW S. QUAY, a Senator from the State of Pennsylvania, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

MISSOURI STATE CLAIMS.

The PRESIDING OFFICER (Mr. PERKINS) laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, certain information relative to the amount of money due the State of Missouri for raising and equipping troops for the war of the rebellion; which, on motion of Mr. COCKRELL, was referred to the Committee on Appropriations, and ordered to be printed.

JOHN I. ROWLAND.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John I. Rowland *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of the Chicago Training School, of Chicago; of the congregation of the Methodist Episcopal Church of Harvey; of the congregations of the Presbyterian churches of Bates and New Berlin, and of the congregation of the Presbyterian Church of Buffalo Hart, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented the petition of Priscilla J. Shipman, of Washington, D. C., administratrix of John J. Shipman, deceased; which, together with a copy of the referee's report, relative to her claims for work done and labor performed by her husband for the District of Columbia, was referred to the Committee on Claims.

Mr. BURNHAM presented petitions of the Woman's Christian Temperance Union of Whitefield, of the Woman's Christian Temperance Union of Keene, and of the Epworth League of Londonderry, all in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a

Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Mount Pleasant Citizens' Association, of the District of Columbia, praying for the enactment of legislation to connect Euclid street with Erie street; which was referred to the Committee on the District of Columbia.

Mr. SCOTT presented a petition of the United Presbyterian congregation of Roneys Point, W. Va., and a petition of the Woman's Christian Temperance Union of Roneys Point, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of McClellan Council, Junior Order United American Mechanics, of Haddonfield; of the congregation of the Roseville Methodist Episcopal Church, of Newark; of the Woman's Christian Temperance Union of Elmer; of the Woman's Home Missionary Society of Woodstown; of the congregation of the First Methodist Episcopal Church of Vineland, and of sundry citizens of Orange, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented petitions of the Woman's Club of Spencer, of the congregation of the Methodist Episcopal Church of Storm Lake, and of the congregation of the Baptist Church of Storm Lake, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the Board of Trade of Milton, Pa., praying for the enactment of legislation to increase the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of Courtland Saunders Post, No. 21, Department of Pennsylvania, Grand Army of the Republic, of Philadelphia, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the Chestnut Hill Baptist Church, of Philadelphia; of the Ministerial Association of Kittanning; of the congregation of the Methodist Episcopal Church of Kittanning; of the Woman's Christian Temperance Union of Mount Carmel; of the congregation of the United Presbyterian Church of Olivet; of the congregation of the Third United Presbyterian Church of Allegheny; of the Epworth League of Apollo; of the congregation of the Methodist Episcopal Church of Dayton; of the congregation of the Presbyterian Church of Mill Hall; of the congregation of the Baptist Church of Apollo; of the congregation of the Little Stone Presbyterian Church, of Kenneth; of the Woman's Christian Temperance Union of Apollo; of the Young People's Christian Temperance Union of Apollo; of the Woman's Missionary Society of Blairsville; of the congregation of the Presbyterian Church of Brownsville; of the congregation of the West Hope Presbyterian Church, of Philadelphia; of the congregation of the Methodist Episcopal Church of Titusville; of the City Mission of Williamsport; of the congregation of the Snyder Avenue Congregational Church, of Philadelphia; of the Friday Club of Burgettstown; of the Sorosis Club, of Langhorne; of the congregation of the Zion African Methodist Episcopal Church, of Williamsport; of the Woman's Christian Temperance Union of Williamsport; of the congregation of the Grace Methodist Episcopal Church, of Williamsport; of sundry citizens of Bloomsburg; of the congregation of the Presbyterian Church of Bloomsburg; of the Woman's Christian Temperance Union of Washington; of the Century Club, of Bloomsburg; of the Woman's Christian Temperance Union of Bloomsburg; of the congregation of the Methodist Episcopal Church of Tryonville; of the congregations of the Methodist Episcopal churches of Troy, White Oak, and Hydetown; of the Ladies' Home and Foreign Missionary Society of Sheridanville; of the congregation of the First Presbyterian Church of Wilkinsburg; of the congregation of the United Presbyterian Church of Darlington; of the congregation of St. Peter's Church, of Butler; of the congregation of the First Baptist Church of Kittanning; of the Christian Endeavor Society of the First Presbyterian Church of Oakdale; of the Woman's Christian Temperance Union of Media; of the congregation of the Reformed Presbyterian Church of Canonsburg; of the Woman's Club of Titusville; of the Woman's Christian Temperance Union of Stoneham; of the congregation of the Pine Street Methodist Episcopal Church, of Williamsport; of the Woman's Christian Temperance Union of Montoursville; of the congregation of the Third United Presbyterian Church of Pittsburg; of the Woman's Missionary Society of the Presbyterian Church of Crafton; of the congregation of the Penn Avenue Baptist Church, of Scranton; of the Woman's Home and Foreign Missionary Society of Delta; of the Monday Night Club, of Canonsburg; of the congregation of the Tabernacle Presbyterian

Church, of Philadelphia; of the Woman's Club of Brighton; of the Woman's Club of McKeesport; of sundry citizens of Duke Center and Kushequa; of the congregation of the United Presbyterian Church of Gayly; of the congregation of the Calvary Reformed Church, of Reading; of the congregation of St. Paul's Reformed Church, of Reading; of the congregation of the Eighth United Presbyterian Church of Pittsburg; of the congregation of the Grace Methodist Episcopal Church, of Oil City; of Prohibition Alliance No. 56, of Williamsport; of the Woman's Christian Temperance Union of Newcastle; of the congregation of the Reformed Church of Huntingdon; of the Young Men's Christian Association of Washington; of the congregation of the Calvary Methodist Episcopal Church, of Philadelphia; of the congregation of the Methodist Episcopal Church of Harlandsburg; of the Presbyterian Missionary Society of Marion Center; of the congregation of the Middlesex Presbyterian Church, of Saxonburg; of the congregation of the Summit Presbyterian Church, of Germantown; of the congregation of the United Brethren Church in Christ of New Holland; of the congregation of the Presbyterian Church of Columbia; of the congregation of the Presbyterian Church of Grove City; of the congregation of the First Presbyterian Church of Johnstown; of the Epworth League of Honesdale; of sundry citizens of Freeport; of the congregation of the Methodist Episcopal Church of Erie; of the Woman's Christian Temperance Union of Erie; of sundry citizens of Newcastle; of the congregation of the Fourth Lutheran Church of Altoona; of the congregation of the United Presbyterian Church of Butler; of the congregation of the First Baptist Church of New Kensington; of the congregation of the Presbyterian Church of Parnassus; of the congregation of the Second United Presbyterian Church of Verona; of the Woman's Club of Phoenixville; of the congregation of the First Presbyterian Church of Glenfield; of the Woman's Missionary Society of Carnegie; of the congregation of the Bethany Reformed Church of Butler; of the congregation of the First Methodist Episcopal Church of Columbia; of the congregation of the United Presbyterian Church of Newville; of the Christian Endeavor Society of Waterford; of the Woman's Missionary Society of the Second Presbyterian Church of Johnstown; of the congregation of the First Presbyterian Church of Beaver Falls; of the Christian Endeavor Society of Claysville; of the congregation of the Lower Buffalo Presbyterian Church, of Independence; of sundry citizens of Independence; of the congregation of the Methodist Episcopal Church of Mount Carmel; of sundry citizens of New Galilee; of the congregation of the First United Presbyterian Church of West Newton; of sundry citizens of Pittsburg; of the Woman's Christian Temperance Union of Harrisburg; of sundry citizens of Carbondale and West Alexandria; of the congregation of the United Presbyterian Church of Homestead; of the Rehoboth Christian Endeavor Society, of Belle Vernon; of the congregation of the Dunlaps Creek Presbyterian Church, of Merrittstown; of the congregation of the New Salem Presbyterian Church, of Merrittstown; of the congregation of the Trinity Reformed Church, of New Kensington; of the congregation of the First Evangelical Lutheran Church of New Kensington; of the congregation of the Methodist Episcopal Church of Petrolia; of the congregation of the Free Methodist Episcopal Church of Butler, and of the congregation of the Reformed Presbyterian Church of Allegheny, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Roger Williams Baptist Sunday School, of Providence, R. I., and a petition of the Epworth League of Middletown, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BERRY presented a memorial of sundry citizens of Grove, Ind. T., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 330) granting a pension to Daniel J. Cooney; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 2037) granting an increase of pension to George Rilea; which were referred to the Committee on Pensions.

Mr. MILLARD presented a petition of the Christian Endeavor Society of the Presbyterian Church of Tecumseh, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in buildings owned or used by the United States Government; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Presbyterian Church of Tekamah, of the congregation of the Presbyterian

Church of Hebron, of the congregation of the Presbyterian Church of Lexington, of the Woman's Club of Omaha, and of the Woman's Christian Temperance Union of Nebraska City, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented petitions of the congregations of the Methodist Episcopal, Second Congregational, and First Baptist churches and the Woman's Christian Temperance Union, all of Winsted; of the congregation of the Washington Park Methodist Episcopal Church, of Bridgeport; of the congregation of the Park Street Congregational Church, of Bridgeport, and of the Woman's Home Missionary Society of Norwich, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MCCUMBER presented a petition of the congregation of the Presbyterian Church, of the Woman's Christian Temperance Union, of the Missionary Society, of the congregation of the Methodist Episcopal Church, and of the Woman's Home Missionary Society, all of Pembina, in the State of North Dakota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

VERNON L. JOHNSON.

Mr. COCKRELL. To accompany the bill (S. 2802) granting an increase of pension to Vernon L. Johnson I present the affidavit of Dr. E. V. Green. I move that the affidavit be referred to the Committee on Pensions.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. DUBOIS, from the Committee on Public Lands, to whom was referred the bill (S. 250) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home, reported it without amendment, and submitted a report thereon.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (S. 468) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson, reported it without amendment, and submitted a report thereon.

Mr. FULTON, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon; and

A bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

Mr. COCKRELL. For the Senator from Ohio [Mr. FORAKER], who is not able to be in the Senate to-day, I report back favorably from the Committee on Pacific Islands and Porto Rico the bill (S. 2345) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes.

The PRESIDING OFFICER. The bill will be placed on the Calendar.

ALASKAN BOUNDARY TRIBUNAL.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the report of the agent of the United States before the Alaskan Boundary Tribunal, with appendixes, including maps, be printed as a document.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 2825) granting an increase of pension to Harriet Billings; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 2826) for the relief of the estate of Roger A. Francis, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 2827) for the relief of Thomas C. Sweeney; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2828) granting a pension to Phoebe F. Lyda; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCCREARY introduced a bill (S. 2829) for the relief of the heirs of G. W. Rogers; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2830) granting a pension to John L. Creech; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2831) granting an increase of pension to Amanda Lucas; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULBERSON introduced a bill (S. 2832) authorizing and directing the Secretary of the Treasury to pay to the heirs of Peter Johnson certain money due him for carrying the mail; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 2833) to authorize the extension, construction, and operation of the Great Falls and Old Dominion Railroad into the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DUBOIS introduced a bill (S. 2834) for the extension of Twenty-third street from S street to California avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. QUAY introduced a bill (S. 2835) for the relief of the estate of Richard W. Meade, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2836) granting an increase of pension to Edward M. Duff;

A bill (S. 2837) granting an increase of pension to Samuel Stewart;

A bill (S. 2838) granting a pension to Louisa Lyon (with an accompanying paper);

A bill (S. 2839) granting an increase of pension to Josiah Muselman;

A bill (S. 2840) granting an increase of pension to Joseph F. Dunlap (with accompanying papers); and

A bill (S. 2841) granting a pension to Jane Patterson.

Mr. PETTUS introduced a bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 2843) for the relief of Joshua Jenkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2844) granting an increase of pension to William L. Baldwin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 2845) to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2846) granting a pension to Sarah E. Foote; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2847) for the relief of Penelope B. Piper; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 2848) granting an increase of pension to William H. Lewis;

A bill (S. 2849) granting an increase of pension to Mark R. Jones;

A bill (S. 2850) granting an increase of pension to Sallie J. Calkins;

A bill (S. 2851) granting a pension to Sarah E. Thompson; and

A bill (S. 2852) granting a pension to Edward T. White.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Indian Affairs:

A bill (S. 2853) to provide for a final settlement with the Tillamook tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties, dated August 7, 1851; and

A bill (S. 2854) to provide for a final settlement with the Clatsop tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties, dated August 7, 1851.

Mr. GORMAN introduced a bill (S. 2855) granting an increase of pension to Ira G. Phillips; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 2856) granting an increase of pension to George Carey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 2857) granting an increase of pension to Onne H. Ropka; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2858) granting an increase of pension to Delia B. Stuart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 2859) granting American register to the American bark *Homeward Bound*; which was read twice by its title, and referred to the Committee on Commerce.

BRITISH CLAIMS.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President be requested, if not incompatible with the public interests, to transmit to the Senate a list of any claims now pending in the State Department by British subjects against the United States, or of citizens of the United States against Great Britain.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GORMAN. I submit a resolution and ask unanimous consent for its consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General be, and he is hereby, instructed to send to the Senate the reports upon the investigation of the irregularities in the Post-Office Department by Assistant Postmaster-General Bristow, together with the reports of Messrs. Holmes Conrad and Charles J. Bonaparte, special counsel for the Government, on the charges made by S. W. Tulloch, formerly cashier of the Washington City post-office.

Mr. GORMAN. Mr. President, I simply wish to say a word. I hope there will be no objection to the resolution. The first report referred to, the report of Assistant Postmaster-General Bristow, has been furnished to a committee of the House of Representatives and some five or six hundred copies of it have been printed, but it is not strictly an official document. A few of us have been able to obtain copies of that report. All ought to have it. Every Member of the other branch is, I understand, supplied with one copy.

The last report referred to, that of Mr. Conrad and Charles J. Bonaparte, the commission appointed by the President of the United States to investigate the Tulloch charges, has, as the newspapers inform us, been directed to be made public by the President of the United States. Therefore there ought not to be and can not be a single objection to its coming before the Senate officially, and I trust there will be no objection to the resolution.

Mr. LODGE. Mr. President—

Mr. HALE. Let the resolution be read again.

Mr. LODGE. I was just going to ask that it be read again, as I was out of the Senate at the moment.

The PRESIDING OFFICER. The resolution will be again read for the information of the Senate.

The Secretary again read the resolution.

Mr. HALE. Let it stand for a moment. I have sent for the chairman of the Committee on Post-Offices and Post-Roads. I would rather that he should be here before agreeing to it.

Mr. GORMAN. The chairman of the Committee on Post-Offices and Post-Roads has been trying to get the information for some time, I will say to the Senator, and I hold in my hand—

Mr. HALE. I would rather that he should be here.

Mr. GORMAN. If we have time. It is a mere matter of information that is public and printed.

Mr. QUAY. Will the Senator from Maryland permit me to interrupt him?

Mr. GORMAN. With great pleasure.

Mr. QUAY. If the presence of my colleague [Mr. PENROSE], the chairman of the Committee on Post-Offices and Post-Roads, is a matter of consequence I may state to the Senator from Maryland, the Senator from Maine, and the Senate that I think he is absent from the city, and that it is not his intention to be here today. So in that case the resolution had better go over. I suppose there is no immediate necessity for its passage.

Mr. GORMAN. I do not know that objection to information has ever been made because of the absence of any Senator, particularly when the information is here and in print. Five or six hundred copies of it have been printed, and it has been circulated to that extent. All I desire is that this information may be before the body officially. For the life of me I do not see what objection can be made, particularly when the colleague of the Senator from Pennsylvania has been striving for more than two weeks for the consideration of a resolution which authorizes the Postmaster-General not only to furnish this information but proposes to go beyond it and ascertain what facts there are behind it. So it is entirely proper, I think, to waive the objection and to pass

over the fact that the Senator from Pennsylvania is absent when it is known by his utterances that he desires it himself.

Mr. LODGE. Mr. President—

Mr. QUAY. Will the Senator from Massachusetts pardon me for a moment?

Mr. LODGE. Certainly.

Mr. QUAY. I desire to say to the Senator from Maryland that I have no objection to the passage of the resolution, and I would not have said a word on the subject had it not been that my attention was called to the fact that the presence of the chairman of the Committee on Post-Offices and Post-Roads was thought desirable by the Senator from Maine.

Mr. HALE. I did not know that he is out of town.

Mr. QUAY. Yes; he is out of town.

Mr. LODGE. The Senator from Pennsylvania [Mr. PENROSE], the chairman of the committee, introduced a resolution which would have brought to the Senate two weeks ago all the material that is now before the House, but amendments were offered by the Senator from Maryland [Mr. GORMAN] to that resolution which totally changed its character and led to its going over.

There is no objection in the world that for the convenience of Senators this report which the House has should be printed. I think it will be very convenient to have it. But I understand that the resolution calls for a good deal more than what the House has, and, in the absence of the chairman of the committee, without consultation with him, I should feel very unwilling to have the resolution passed as it stands. I have no objection to the resolution being passed so far as the report printed for the House is concerned.

Mr. CULBERSON. Before the Senator from Massachusetts takes his seat, I call attention to the fact that the very matter asked by the Senator from Maryland to be printed is in the document which has been printed for the use of the House Committee on Post-Offices and Post-Roads alone. The Senator from Maryland simply asks that the same matter be sent officially to the Senate and be printed here as a Senate document, or for the use of the committee of this body, so that each member of the Senate may secure a copy.

Mr. LODGE. Very well, let the Senator from Maryland ask for a reprint of the House document.

Mr. HALE. That is it.

Mr. LODGE. That is easily done. I have no objection to that, of course.

Mr. GORMAN. It is not a House document. It is a communication to the Committee on the Post-Office and Post-Roads of the House, which has been printed and circulated. All I desire, I repeat, as there is no matter—

Mr. LODGE. Very well; have that document reprinted.

Mr. GORMAN. But it is not in the form of a document.

Mr. LODGE. It has a name, I suppose, of some sort.

Mr. GORMAN. The Senate ought to have it direct from the Department. It will be nothing in the world except to transmit to the Senate this private print, and there is no single item of inquiry made in the resolution that is not in this document—

Mr. LODGE. I understood—

Mr. GORMAN. Including the Bonaparte report.

Mr. LODGE. I understood the Senator from Maryland to say that it is a document in the possession of the House.

Mr. GORMAN. It is in the possession of a committee of the House.

Mr. QUAY. Mr. President, I object to the consideration of the resolution.

Mr. GORMAN. Very good; then it goes over.

The PRESIDING OFFICER. Objection being made to the present consideration of the resolution, under the rule it will go over until the next legislative day.

HOUSE BILL REFERRED.

The bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz., was read twice by its title, and referred to the Committee on Territories.

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

The PRESIDING OFFICER. If there are no further concurrent or Senate resolutions, it becomes the duty of the Chair to place before the Senate the resolutions which have been lying on the table. The first in order will be stated.

The Secretary read the resolution submitted by Mr. PENROSE on the 10th instant, as follows:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate, in the same form as in Senate Document No. 59, Fifty-fourth Congress, second session, the names of all persons upon either the permanent, emergency, or temporary roll of the Government Printing Office

who were employed therein during the fiscal years 1895 to 1902, inclusive, who did not receive any leaves of absence during those fiscal years or pay for unused leaves of absence, and the amount which such person would have received for each of said fiscal years, separately, if leave pay had been allowed either in full or pro rata upon the basis of thirty days for each fiscal year, the amount so computed to be according to the pay received and the service performed by such persons during each of said fiscal years.

Mr. COCKRELL. I think the resolution ought to go to the Committee on Printing.

Mr. HALE. Or, in the absence of the Senator from Pennsylvania [Mr. PENROSE], let it go over—either way.

The PRESIDING OFFICER. If there be no objection, it will go over.

Mr. HALE. Yes; holding its place.

The PRESIDING OFFICER. The resolution will go over without prejudice.

PRICES OF AMERICAN GOODS ABROAD.

Mr. CARMACK. I should like to inquire the present status of the resolution offered by myself.

The PRESIDING OFFICER. The resolutions are being laid before the Senate in their order at this time. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. BACON on the 11th instant, as follows:

Resolved by the Senate, That the Secretary of Commerce and Labor be, and he is hereby, directed to procure, so far as practicable, the information hereinafter specified, and report the same to the Senate during the present session of Congress, and not later than April 1, 1904.

First. What classes of goods manufactured in the United States have, during the year ending December 31, 1903, been sold or offered for sale in foreign countries or for export to foreign countries by the manufacturers thereof, or through their representatives or agents, at prices less than the same classes of goods were during the same period sold in the United States by the manufacturers thereof, or through their representatives or agents; the said report, while including so far as practicable all classes of goods so manufactured and sold, to have special reference to manufactures of iron and steel and other metals, of glass and crockery, textile goods and the manufactures thereof, boots, shoes, and other manufactures of leather, hats and caps and other wearing apparel, household and kitchen utensils and wares, household and kitchen furniture, sewing machines, vehicles of all kinds, farm implements and farm machinery, and other machinery of all kinds, cutlery and tools of all kinds, watches, jewelry, and other articles for household and personal use, comfort, or adornment, and the said report to give the comparative prices and said sales separately for each of the said classes of goods, and the foreign countries in which or for export to which said sales were made.

Second. What, separately stated as to each class of goods, was the general average during the said period of said comparative prices in sales in the United States and in the several foreign countries.

Third. If during the said period the said comparative prices in any instances fluctuated materially from said averages, then, stated separately, what were, in such instances, the comparative prices in said sales in the several classes of goods embraced in such instances at different periods in the year when said fluctuations occurred.

Mr. BACON rose.

Mr. LODGE. I have no objection to the resolution, but I hope the Senator from Georgia will allow it to go over without prejudice, because the Senator from Rhode Island [Mr. ALDRICH], who objected, is absent, and I am very sure from what he said to me that he desires to say something on the resolution.

Mr. BACON. If the Senator from Massachusetts had permitted me, I was about to inquire by what process the resolution came up this morning. My attention was withdrawn.

The PRESIDING OFFICER. The Chair was informed that the resolution went over December 17 without prejudice, retaining its place.

Mr. BACON. I announced in the Senate, and a reference to the RECORD will recall what I then said, that upon conference with the Senator from Rhode Island [Mr. ALDRICH] it had been agreed that we would ask that the resolution should lie on the table subject to my call. That is already stated in the RECORD, and I did not know that the resolution was up until I heard the reading progress. I did not know but that it had been called up by some one.

Mr. LODGE. I trust the Senator from Georgia will excuse me. I supposed from its being up that he had called it up, of course.

Mr. BACON. No; when the title was read my attention was distracted at the time or I should have interrupted it then. If there is any doubt whatever as to the parliamentary status of the resolution, I now ask unanimous consent that it may lie on the table subject to my call, my intention being not to call it except when the Senator from Rhode Island [Mr. ALDRICH] may be present.

The PRESIDING OFFICER. That will be taken as the sense of the Senate, and the proper notation will be made upon the resolution.

RESOLUTIONS PASSED OVER.

Mr. MORGAN. There are several resolutions lying on the table subject to the same order, subject to the call of Senators who offered them. There is business that comes over from yesterday on an objection made by the Senator from Kentucky [Mr. BLACKBURN] to a resolution that I offered, which I think is the regular

order this morning under this call, unless there is some resolution in a like situation earlier than that.

The PRESIDING OFFICER. The Chair is of opinion that the resolution submitted by the Senator from Tennessee [Mr. CARMACK] has precedence, it being in a prior position.

Mr. HALE. Let us have an understanding now that any other resolutions which come over shall go over again, and then be subject to being called up by the Senators who offered them.

Mr. MORGAN. No; I do not wish to do that.

Mr. HALE. I except the Senator's resolution.

Mr. MORGAN. I understand that my colleague [Mr. PETTUS] desires to be heard on the resolution I offered yesterday.

Mr. HALE. I do not include the Senator's resolution. I refer to the resolutions that have come over for several days. Let them all go over, retaining their place.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. CARMACK] asks for the consideration of his resolution, which is next in order.

Mr. KEAN. Is it resolution No. 58, relative to the collector of customs in Porto Rico?

The PRESIDING OFFICER. The Chair is informed that there are two resolutions submitted by the Senator from Tennessee—one is No. 58 and the other is No. 60.

Mr. KEAN. I ask that the first resolution may go over. The Senator from Iowa [Mr. ALLISON] is interested in that resolution, and he is absent. Let it go over, retaining its place.

Mr. CARMACK. Do I understand that the Senator from Alabama desires to address the Senate now?

Mr. PETTUS. Mr. President—

Mr. MORGAN. Before my colleague proceeds, I will ask that the resolution be laid before the Senate.

Mr. HALE. What resolution is it?

Mr. MORGAN. The resolution I offered yesterday, resolution No. 66.

The PRESIDING OFFICER. It is the resolution presented by the Senator from Alabama yesterday.

Mr. HALE. Let it be read and then we will understand what it is.

Mr. KEAN. Do I understand that the other resolutions go over?

The PRESIDING OFFICER. They go over without prejudice.

SECESSION OF PANAMA.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution submitted by the Senator from Alabama [Mr. MORGAN], coming over from a previous day. It will be read.

The Secretary read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That neither the President, nor the President and the Senate as the treaty-making power of the United States, has the lawful power to wage or declare war against any foreign power without the consent of Congress, when such country is at peace with the United States, and when its diplomatic relations with the United States are unbroken, and when its diplomatic representatives are recognized by the President as the representatives of a friendly power. And the consent of the Senate, as a part of the treaty-making power, to a war waged by the President against such a nation, under such circumstances, can not confer upon him such lawful authority under the Constitution of the United States, or under the laws of nations, or under the neutrality law of the United States.

2. That a state of war exists between Colombia as an organization in the Colombian Department of Panama that claims to have accomplished the secession of Panama from Colombia and to have established its independence and sovereignty through the recognition of the President of the United States and of some European and Asiatic states; and that claims also to have established a republic under the flag and the name and title of the Republic of Panama. And Colombia refuses to recognize the validity of the act of secession and the independence or the sovereignty of any government so organized on the Isthmus of Panama, and is engaged in military and naval operations to assert and enforce her claim of the supreme right of government in and over the territory described in her laws and constitution as the Department of Panama.

3. That, if Colombia is not prevented by some powerful foreign nation, she is manifestly able to maintain her present effort to repress the said secession organization and to restore her sovereignty over said Department of Panama. And the President of the United States having entered into treaty relations with the persons who claim to have seceded from Colombia and assert the powers of supreme government in and over the territory included in such Department of Panama, and having made agreements with the secessionists relating to the right and privilege of constructing and owning in perpetuity a ship canal across the Isthmus of Panama, all based on the following stipulation, namely:

"The United States guarantees and will maintain the independence of the Republic of Panama."

Said stipulation is in effect a declaration of war with Colombia, and is not within the limits of any power conferred upon the President by act of Congress or the Constitution, or by the laws of nations.

4. That the President has no lawful right or power, without the consent of Congress, and under the conditions that exist in Panama, to use the military and naval forces of the United States to prevent Colombia from enforcing her claim to the proper exercise of her sovereignty and to execute her laws in the Department of Panama by any form of coercion that is consistent with the laws of nations and is not in conflict with any right of the United States.

5. That the Senate repeats its resolution of 1889, in the following words:

Resolved, etc., That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship canal across the Isthmus of Darien or across Central America, and must regard any such connection

or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

"Sec. 2. That the President be, and he is hereby, requested to communicate this expression of the views of the Government of the United States to the governments of the countries of Europe."

6. That the United States, in the Revised Statutes, has defined neutrality and the penalties for its violation as follows:

"Sec. 5236. Every person who, within the territory or jurisdiction of the United States, begins, or sets on foot, or provides or prepares the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, shall be deemed guilty of high misdemeanor, and shall be fined not exceeding \$3,000 and imprisoned not more than three years."

The intervention by the President, with armed forces of the United States and without the authority of Congress, to prevent the exercise of military or civil authority by Colombia, with whom we are at peace, for the assertion or exercise of her sovereignty and the enforcement of her constitution and laws over the Department of Panama is contrary to said law of neutrality enacted by the Congress of the United States, and is contrary to the laws of nations.

Mr. PFATTUS. Mr. President, Panama, as we are informed by the Administration, is an "independent republic." If that is a correct statement, the serious question for our consideration is, How, and by what agencies, did Panama become an independent nation?

Was the new State born under and according to the law of nations, or was it unlawfully and "untimely ripped" from its mother's womb? And, if this new nation was so unlawfully and untimely ripped, was the honor of our country neglected or tarnished by this unlawful birth?

Our country is now a national giant. God forbid that this Republic should ever be too great to earnestly and diligently guard and preserve the honor of our people.

Mr. President, my purpose is simply to discuss the law of this case on the facts known to the Senate; not on any supposed existence of facts, but on facts known and admitted of all men. It is not my purpose to indulge in invectives. If I say hard things, they will be in the language of the law writers, in the language of our great statesmen, and merely in the form of quotations, and if the law bears hardly on anyone it will not be my fault.

I desire first to call the attention of the Senate to the general duties of one nation to another. Mr. Vattel lays it down that—

All nations are therefore under a strict obligation to cultivate justice toward each other, to observe it scrupulously, and carefully to abstain from everything that may violate it. Each ought to render to the others what belongs to them, to respect their rights, and to leave them in the peaceable enjoyment of them. (Vattel's Law of Nations, Cap. V, p. 160.)

Mr. President, I shall not now pause to comment on this great principle of moral and international law. I call it the law of common honesty, and every nation and every man ought to be bound by it.

I next call your attention to the circumstances under which, under the law of nations, one nation may acknowledge the independence of another nation—a newborn nation. That law has been settled for many years. It was settled, in fact, or considered as settled, by the law writers before this nation was born.

But the United States more than any other country on earth has by its acts and by the declaration of its statesmen enforced the general proposition which I shall now read from Chancellor Kent, the great Blackstone of American law, the man who did more than almost any other writer who ever lived to establish the law as it existed, and to enforce it with an energy and terseness of language not equaled by others, unless it was the great Englishman who wrote his commentaries on the common law. This great writer lays it down in a short sentence. He says:

Recognition of the independence of a revolted state is only lawful when such independence is de facto established. (1 Kent's Commentaries, p. 25, note 1.)

My God, what a commentary on what we have been doing down in Panama! "Established." The meaning of "established" is not left by these great statesmen and writers to any sort of construction; it can not be frittered away by the logic of a man who brings his great powers of learning and logic to defend an indefensible act.

Here is a writing that will be acknowledged, at least in Massachusetts, and if it is not they will have repudiated one of their greatest statesmen. John Quincy Adams, when Secretary of State, on this identical subject—he was talking about the Spanish colonies in South America, which had long been in rebellion against the parent State and in combination with each other to secure their individual independence—says:

There is a stage in such revolutionary contests when the party struggling for independence has, as I conceive, a right to demand its acknowledgment by neutral parties—

He had some idea that we had some obligations of neutrality. All of the great statesmen in the past have had that idea. He continues—

and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when the independence is established as a matter of fact, so as to leave the chance of the opposite party to recover their dominion utterly desperate.

That this great Massachusetts statesman had a clear and unmistakable knowledge and a facility of expressing that knowledge equal to any man we have had in this country I think will be admitted by all, unless it may be by those who do not like some of his peculiar ideas.

General Jackson, in his message of December 21, 1836, in reference to the independence of Texas, had made a declaration on this subject, and you will pardon me if I read a few sentences from that message.

In the contest between Spain and her revolted colonies we stood aloof and waited, not only until the ability of the new States to protect themselves was fully established, but until the danger of their again being subjugated had entirely passed away. Then, and not till then, were they recognized. Such was our course in regard to Mexico herself. The same policy was observed in all the disputes growing out of the separation into distinct governments of those Spanish-American States who began or carried on the contest with the parent country united under one form of government.

We acknowledged the separate independence of New Granada, of Venezuela, and of Ecuador only after their independent existence was no longer a subject of dispute or was actually acquiesced in by those with whom they had been previously united. (Andrew Jackson's Special Message, Washington, December 21, 1836. Messages and Papers of the Presidents, Vol. III.)

General Jackson had much to say about this question of independence. I now read a resolution passed by the two Houses of Congress, not a joint resolution, but a separate resolution of each House, in reference to the independence of Texas, showing how this body and that other body regarded this subject when they were deliberating on one of the most important questions of recognition which ever came before Congress. Here is the resolution, which was almost unanimously adopted by each of the Houses in the same language:

That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information should be received that it had in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.

I quote that resolution from General Jackson's special message of December 21, 1836, in reply to it.

If these authorities, directly quoted from our great lawgivers, from our great statesmen, and from this body and the other body, almost unanimously pronounced, are to pass unheeded, then you would not believe "though one rose from the dead."

Mr. President, passing from that point, I go to another; and this is the one vital thing that I want to impress upon the Senate, that it is our sworn duty and our moral obligation otherwise as citizens of the United States to do everything in our power to guard, safeguard, and protect the honor of the country from all comers and all goers, whether foreign or domestic. I start out with General Washington's general advice to the American people when he was retiring from office. He said:

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct. And can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence.

Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! it is rendered impossible by its vices! (George Washington's Farewell Address—Messages and Papers of the Presidents, Vol. I.)

Mr. President, in considering this subject of the preservation of the honor of the country, that honor ought to be so guarded as not to be made liable to suspicion. We have had heretofore great interest in this question of recognizing the independence of another nation. In the case of Texas we had an interest in it directly, a national interest that Texas should be an independent State because we intended to have Texas as a part of the United States.

In a case like that all our great statesmen caution us not to allow the honor of the country to be tarnished by a supposition that we recognized the independence of that country because we wanted it ourselves. In a special message in reference to Texas General Jackson calls our attention to that condition of affairs. He says:

It is scarcely to be imagined that a question of this character could be presented in relation to which it would be more difficult for the United States to avoid exciting the suspicion and jealousy of the other powers and maintain their established character for fair and impartial dealing. But on this, as on every trying occasion, safety is to be found in a rigid adherence to principle. (Andrew Jackson's special message, Washington, December 21, 1836—Messages and Papers of the Presidents, Vol. III.)

General Jackson made that statement, although the battle of San Jacinto had been fought, and no Mexican soldier had put his foot on that ground for six or eight months. The battle of San Jacinto was fought April 21, 1836, and this message was delivered in the following December.

The President in his message goes into details on that subject, and I beg all Senators to listen to the words of this great patriot:

Upon the issue of this threatened invasion the independence of Texas may be considered as suspended, and were there nothing peculiar in the relative situation of the United States and Texas our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have heretofore held ourselves bound to treat all similar questions. But there are circumstances in the relations of

the two countries which require us to act on this occasion with even more than our wonted caution.

Texas was once claimed as a part of our property, and there are those among our citizens who, always reluctant to abandon that claim, can not but regard with solicitude the prospect of the reunion of the territory to this country. A large proportion of its civilized inhabitants are emigrants from the United States, speak the same language with ourselves, cherish the same principles, political and religious, and are bound to many of our citizens by ties of friendship and kindred blood; and, more than all, it is known that the people of that country have instituted the same form of government with our own and have since the close of your last session openly resolved, on the acknowledgment by us of their independence, to seek admission into the Union as one of the Federal States. This last circumstance is a matter of peculiar delicacy—

"Delicacy!" The word does not fit our surroundings—and forces upon us considerations of the gravest character. The title of Texas to the territory she claims is identified with her independence. She asks us to acknowledge that title to the territory, with an avowed design to treat immediately for its transfer to the United States.

It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory, with a view to its subsequent acquisition by ourselves. Prudence, therefore, seems to indicate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new Government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the Government constituted by them.

Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long established policy of our Government, a policy which has secured to us respect and influence abroad and inspired confidence at home. (Andrew Jackson's special message—Washington, December 21, 1836—Messages and Papers of the Presidents, Vol. III.)

What confidence can any of us have when these great principles are absolutely scattered to the wind as though an act of passion instead of an act of statesmanship?

I will read another paragraph from that same message of General Jackson. He said:

The acknowledgment of a new State as independent and entitled to a place in the family of nations is at all times an act of great delicacy and responsibility, but more especially so when such State has forcibly separated itself from another of which it had formed an integral part and which still claims dominion over it. A premature recognition under these circumstances, if not looked upon as justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit to one of the contending parties.

All questions relative to the government of foreign nations, whether of the Old or the New World, have been treated by the United States as questions of fact only, and our predecessors have cautiously abstained from deciding upon them until the clearest evidence was in their possession to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation. (Andrew Jackson's special message, Washington, December 21, 1836—Messages and Papers of the Presidents, Vol. III.)

Yes, Mr. President, the honor of the nation is worth more than the property of the nation.

I now wish to read what Mr. McKinley said; and whatever may be said of General Jackson, I have never heard a dastard say anything against the honor of that great statesman, Mr. McKinley, who has gone to his last account. All his political adversaries, as well as his political friends, loved the man and revered the statesman. This is what he said on a kindred subject:

Of the untried measures—

He is speaking of Cuba and Spain—

Of the untried measures there remain only: Recognition of the insurgents as belligerents; recognition of the independence of Cuba; neutral intervention to end the war by imposing a rational compromise between the contestants, and intervention in favor of one or the other party.

Those are the things which are left to be decided upon.

I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression. (William McKinley's message, December, 1897—Cuban question—Messages and Papers of the Presidents, Vol. X.)

No; it could not be thought of by our great, straightforward, direct statesman, informed of the law as he had been almost from his infancy. He knew he could not do it without trampling upon the honor of his country. If you will not believe President McKinley, whom will you believe?

Mr. President, I know there are those whose logic is so sharpened that they can prove any proposition in law necessary to sustain the Administration. I know there are such people. The Master has given them wonderful intellects, but I fear sometimes they are in the situation of a great lawyer in Alabama, one of the most learned men that the United States has ever produced, of whom it was said that his intellect had become so sharp that he did not know the plain truth when he met it in the public road. [Laughter.] I fear there are such intellects in the country now, though that man has gone.

In reference to this particular subject there was a claim asserted based on the treaty of 1846 with New Granada. I will call the attention of the Senate to a few matters in reference to that, though I must say that no human being can strengthen the argument that was made by the eminent Senator from Virginia [Mr. DANIEL] on yesterday. He demonstrated to an almost mathematical certainty that this claim based on that treaty was a bald pretense.

Mr. Seward, Mr. Fish, Mr. Evarts, and Mr. Blaine, each a great Republican statesman and each speaking as Secretary of State for our Government, denied that our treaty of 1846 with New

Granada could be so construed as to confer on the United States the power or bind our country to the duty of taking part in a civil war on the Isthmus. Mr. Seward said:

Neither the text nor the spirit of the stipulation in that article, by which the United States engages to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with a requisition like that referred to. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only. It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party.

And Mr. Fish, as Secretary of State, says:

This Government, by the treaty with New Granada of 1846, has engaged a guaranty of neutrality of the Isthmus of Panama. This engagement, however, has never been acknowledged to embrace the duty of protecting the road across it from the violence of local factions.

Although such protection was of late—

That has been cited as a precedent—

Although such protection was of late efficiently given by the force under the command of Admiral Almy, it appears to have been granted with the consent and at the instance of the local authorities.

It is, however, regarded as the undoubted duty—

Listen, Senators, to what this great statesman says—

It is, however, regarded as the undoubted duty of the Colombian Government to protect the road against attacks from local insurgents. The discharge of this duty will be insisted upon.

I merely recall the attention of Senators to these matters. They were very much more ably discussed by that eminent Virginian [Mr. DANIEL], and I will leave you to consider what he had to say.

Mr. President, although it is a small matter as compared with the honor of a nation, I want to call your attention to some of our pecuniary interests. It ought to be regarded of all things the most degrading to a nation or individual to owe a debt that it or he does not pay when due. It degrades him in his own estimation, and degrades the nation in the estimation of all mankind. What is the law in reference to the debts of Colombia? I do not care to elaborate, but I will tell you what Kent says about it. He had a knowledge of the law.

So if a nation should be divided in respect to territory its rights and obligations are not impaired, and if they have not been apportioned by special agreement those rights are to be enjoyed and those obligations fulfilled by all the parts in common. (1 Kent's Com., top pp. 25 and 26.)

Every part of the divided country owes the debt unless it has been apportioned among them.

I do not care to go into any elaborate discourse on the debts of the Republic of Colombia, but if we take that piece of the property of the Republic of Colombia (whether we take it by force or fraud or by legitimate negotiation does not make any difference) we take the debt of Colombia on our shoulders until it is apportioned.

Oh, well, you may say—and doubtless some people will say; doubtless some of them have already said—"What, the United States owe any of the debts of Colombia? No; certainly not. They never can be made to pay it." Of course they can not be. They can not be made to pay their just debts to their own citizens.

And I think it is most likely, if this property is seized upon and taken into the power and control of the United States, that the United States will not pay one dollar of Colombia's debts. I will always know they are bound to do it in law and justice, and I will always know that the United States are sticklers for their commercial integrity.

I will always know that if a nation which, in order to sustain its commercial honor, insisted upon paying its bonds in a currency in which it never contracted to pay them, because it was the best in the world, repudiates its debts it has gotten too powerful to be just; and all mankind will know the same thing.

I pray, Mr. President, that we will never be so great as that—that we shall never be so great that we will dare to disregard that which law and common honesty impose upon us.

Mr. President, I have about finished what I have to say. I merely wanted to call attention to these points. I see all around me great lawyers, informed of the law. They have not taken the pains, possibly, to read it up in the last few days, since the 3d day of November. Mr. President, none of us conceived that we would ever be called upon to study such a question as this. It has been settled through the ages. It has been settled by almost every man who has spoken for the United States on this subject.

Now, how this particular nation was born I do not know, except so far as we have been informed by the Administration. I am not going outside of that at all, but it seems to be a fact stated that this great Government of Colombia, through its President, and to that extent only, made a contract with the United States, and then the Congress of that country refused to ratify that contract. Mr. President, did not the United States recently make a contract with Great Britain about this very canal?

The President of the United States—it was the great President of whom we have been speaking—made a solemn contract. There is no doubt in the world that he gave Great Britain to believe that

the Senate of the United States would ratify it, else Great Britain never would have made it, and yet it was brought here to the Senate, and I do not know that I am violating any rule—I do not know whether the matter has been made public or not, but it has been made public that the Senate took this action—when I say that the Senate put in that treaty a declaration in substance that we should have a right to fortify the canal.

That great man from Minnesota, who was in charge of the Committee on Foreign Relations, taught us all to believe that we ought to have that right—that a canal would not be such a one as we wanted without it. We rejected the treaty, so far as it was then written, and wrote another one, which Great Britain would not sign. It was entirely different in that respect and in another. Is that cause for Great Britain to say we have not treated her properly?

It may be that this extemporaneous President they had in Colombia made representations that he would help to get the treaty through, and it may be that he did not. That is only the fault of the man. It is not the fault of the Government. The Government's constitution provided that no treaty should be valid until it was ratified by the Congress, not the Senate, but by the Congress of Colombia, and the Congress did not choose to do it.

We can indulge in any amount of suspicion we believe or in any amount of inference we please. My inference is very much like that drawn by others, that they wanted and thought they could get more money; and nations very often act on that sort of principle.

We had a treaty with Denmark. We started to buy some islands in the West Indies. We bought them, but we never paid for them. Denmark did not like our terms. Has anybody ever said that Denmark acted in such a way as to give offense to the United States? Nobody has ever claimed any such thing.

No, Mr. President, this is a bald pretense that Colombia has acted in any other way in reference to the treaty than she had a right to act. People may get mad because they can not make an advantageous contract. I think myself the great Republic of Colombia made a mistake on the money question, but she had a right to make the mistake, and the United States had no right to complain of Colombia. Its Congress had never promised to ratify any treaty, and Congress was the sole power which could ratify.

Mr. President, the particular point on which I wish to conclude is this: The United States is a wonderful power—wonderful; perhaps the strongest nation, taking it in all its parts, that ever existed on earth. We could almost feed the world if the crops of the world outside of the United States failed. As a war power it is just about beyond calculation. Then we have a population all over the United States more than ready to go into any war Congress chooses to declare—more than ready; it is willing and anxious.

We have a militia which, with a little training, could keep mankind off the United States part of this continent. We have a Navy, not equal in number of vessels to that of several of the other large powers, but it has never been wanting when the time came. And it has grown. It is growing like a boy grows between 14 and 16.

The Navy is growing every day, and it is your purpose, Mr. President [Mr. PERKINS], and my purpose, and the purpose of all these legislators to make it grow, and we ought to make it grow. What for? To put our heel down on little powers like Colombia? It was never thought of. We could send our militia down there, without a regular officer, and do anything we please with that country. I doubt if a single brigade of the Regular Army could not handle that country without any trouble in the world.

Now, have we gotten to be so great, has all this power been entrusted to us by our Master that we should abuse it like a bully? I fear we are doing it. I fear we have got too large to be just, and the people of the country fear it. Whenever this nation gets too large to be just, it will be too large to be respected by its own citizens.

Mr. President, there is one view of this subject to which attention ought to be called. I am not disputing, I do not contend in anything I have said, that the Government of the United States can not declare war, can not take part in a war that is already originated. I do not mean that. Here it is put down by the law writers that you have that power. You can make war if you choose. You could make war on the great Republic of Panama, if you choose. Certainly Congress has a right to declare war, and that right devolves on Congress the power to say when it will declare war and what war it will declare. Now, here is what the great author Kent says on that subject:

When civil war is regularly established in a country, and when the nation is divided into conflicting armies and opposing camps, the two parties may be dealt with by other powers as if they were separate communities, and such other powers may take part with one side or the other, according to their sympathies and interest, just as they might in a war between separate and independent nations. (1 Kent's Com., top p. 25.)

I admit that you have a perfect right to declare war and to make war on Colombia, if you want to do it. When I say "perfect right," I mean according to the laws of nations and according to the Constitution of the United States. But whoever heard that the President of the United States could make war without the authority of Congress?

War is being made, according to the President's own declaration. He is making war on the Republic of Colombia without any authority from Congress, both by the Navy and the Army, and for the purpose of securing that 10 miles of land through that country. God forbid that Congress or the people of the United States either should ever approve such a war!

Mr. MORGAN. Mr. President, I have said to some Senators on the opposite side of the Chamber that I did not expect to be able to press the resolution to a vote to-day, particularly on account of the thin condition of the Senate in view of our expected recess until the 4th day of January. I will therefore ask unanimous consent that this matter may go over without prejudice.

Mr. LODGE. I hope that will be done.

Mr. HALE. There will be no objection to that course.

Mr. LODGE. I myself desire to speak upon the Senator's resolution.

The PRESIDING OFFICER. If there is no objection, the resolution will go over without prejudice, retaining its place on the Calendar.

Mr. MORGAN. Not on the Calendar, Mr. President.

The PRESIDING OFFICER. Before the Senate.

Mr. MORGAN. Before the Senate.

ISTHMIAN CANAL.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read: *To the Senate and House of Representatives:*

I transmit for the information of the Congress, in connection with the correspondence already transmitted relating to the recent revolution on the Isthmus of Panama, and contained in House Document No. 8, Fifty-eighth Congress, first session, parts 1 and 2, a report from the Secretary of State, with accompanying papers, concerning the convention between the United States and Colombia for the construction of an interoceanic canal across the Isthmus of Panama.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 18, 1903.

The PRESIDING OFFICER. Unless otherwise directed by the Senate, the message and accompanying papers will be referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. LODGE. The papers accompanying the message just read were sent in in connection with the correspondence already transmitted relating to the recent revolution on the Isthmus of Panama and contained in House Document No. 8. I suggest that House Document No. 8 be printed with these papers, so that we may have them all together.

Mr. COCKRELL. That is right.

Mr. PLATT of Connecticut. Both parts?

Mr. LODGE. Both parts, so that we may have all of the papers together in convenient form.

The PRESIDING OFFICER. Both parts will be printed in accordance with the request of the Senator from Massachusetts.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Monday, January 4, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1903.

POSTMASTERS.

CALIFORNIA.

Laura J. Hannon to be postmaster at Redondo, in the county of Los Angeles and State of California. Office became Presidential April 1, 1903.

COLORADO.

Orange W. Richardson to be postmaster at Longmont, in the county of Boulder and State of Colorado, in place of Orange W. Richardson. Incumbent's commission expired December 20, 1902.

CONNECTICUT.

William H. Brown to be postmaster at Jewett City, in the county of New London and State of Connecticut, in place of William H. Brown. Incumbent's commission expired December 12, 1903.

William Holmes to be postmaster at Shelton, in the county of Fairfield and State of Connecticut, in place of William Holmes. Incumbent's commission expires December 19, 1903.

ILLINOIS.

Hugh Bennett to be postmaster at Coal City, in the county of Grundy and State of Illinois, in place of Hugh Bennett. Incumbent's commission expires December 19, 1903.

INDIANA.

Thompson Turner to be postmaster at Walkerton, in the county of St. Joseph and State of Indiana, in place of Thompson Turner. Incumbent's commission expired December 13, 1903.

IOWA.

Frank V. D. Bogert to be postmaster at Paullina, in the county of O'Brien and State of Iowa, in place of Frank V. D. Bogert. Incumbent's commission expired December 13, 1903.

KANSAS.

W. S. Baxter to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas, in place of Jacob B. Boyer, deceased.

Harvey J. Penney to be postmaster at Hays, in the county of Ellis and State of Kansas, in place of James H. Downing. Incumbent's commission expired December 12, 1903.

B. L. Taft to be postmaster at Parsons, in the county of Labette and State of Kansas, in place of John J. Benz, removed.

MAINE.

James H. DeCoster to be postmaster at Mechanic Falls, in the county of Androscoggin and State of Maine, in place of James H. DeCoster. Incumbent's commission expired December 12, 1903.

MASSACHUSETTS.

Paul R. Bridgman to be postmaster at Ware, in the county of Hampshire and State of Massachusetts, in place of Paul R. Bridgman. Incumbent's commission expired December 13, 1903.

William L. Lathrop to be postmaster at Orange, in the county of Franklin and State of Massachusetts, in place of William L. Lathrop. Incumbent's commission expires December 19, 1903.

Henry S. Moore to be postmaster at Hudson, in the county of Middlesex and State of Massachusetts, in place of Henry S. Moore. Incumbent's commission expires December 19, 1903.

Edward G. Spooner to be postmaster at Fairhaven, in the county of Bristol and State of Massachusetts, in place of William C. Stoddard. Incumbent's commission expired December 13, 1903.

Charles E. Wallace to be postmaster at Fitchburg, in the county of Worcester and State of Massachusetts, in place of Charles E. Wallace. Incumbent's commission expired December 13, 1903.

James H. Whetton to be postmaster at Highlandville, in the county of Norfolk and State of Massachusetts, in place of John J. Whetton, deceased.

MICHIGAN.

George Burkhart to be postmaster at Saline, in the county of Washtenaw and State of Michigan, in place of George Burkhart. Incumbent's commission expired December 13, 1903.

Edward F. Evarts to be postmaster at Chesaning, in the county of Saginaw and State of Michigan, in place of Edward F. Evarts. Incumbent's commission expired December 13, 1903.

MISSOURI.

Edward W. Flentge to be postmaster at Cape Girardeau, in the county of Cape Girardeau and State of Missouri, in place of August Bierwirth. Incumbent's commission expired December 15, 1903.

NEBRASKA.

Samuel B. Hall to be postmaster at Ashland, in the county of Saunders and State of Nebraska, in place of Samuel B. Hall. Incumbent's commission expired December 14, 1903.

Leander H. Jewett to be postmaster at Broken Bow, in the county of Custer and State of Nebraska, in place of Leander H. Jewett. Incumbent's commission expired December 14, 1903.

John M. Jones to be postmaster at Clay Center, in the county of Clay and State of Nebraska, in place of John M. Jones. Incumbent's commission expired December 14, 1903.

NEW JERSEY.

Leslie I. Cooke to be postmaster at Hackettstown, in the county of Warren and State of New Jersey, in place of George W. Smith. Incumbent's commission expired December 12, 1903.

NEW YORK.

Austin Hicks to be postmaster at Great Neck, in the county of Nassau and State of New York, in place of M. A. Le Cluse. Incumbent's commission expired December 13, 1903.

Hiram B. Odell to be postmaster at Newburgh, in the county of Orange and State of New York, in place of Hiram B. Odell. Incumbent's commission expires February 19, 1904.

NORTH DAKOTA.

Elmer H. Myhra to be postmaster at Wahpeton, in the county of Richland and State of North Dakota, in place of Alice Davidson, resigned.

OHIO.

George W. C. Perry to be postmaster at Chillicothe, in the county of Ross and State of Ohio, in place of Samuel H. Hurst. Incumbent's commission expires January 31, 1904.

Charles S. Putnam to be postmaster at Conneaut, in the county of Ashtabula and State of Ohio, in place of Charles S. Putnam. Incumbent's commission expired December 12, 1903.

PENNSYLVANIA.

Charles W. Huy to be postmaster at Schuylkill Haven, in the county of Schuylkill and State of Pennsylvania, in place of Irving W. Tyson. Incumbent's commission expires December 19, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1903.

DISTRICT POLICE COURT JUDGE.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia.

COLLECTORS OF CUSTOMS.

I. Snowden Haines, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey.

John A. Thornton, of Louisiana, to be collector of customs for the district of Teche, in the State of Louisiana.

SURVEYOR OF CUSTOMS.

Charles J. Robb, of Indiana, to be surveyor of customs for the port of Michigan City, in the State of Indiana.

POSTMASTERS.

ALABAMA.

Wiley F. Kennamer to be postmaster at Demopolis, in the county of Marengo and State of Alabama.

Theophilus G. Fowler to be postmaster at Uniontown, in the county of Perry and State of Alabama.

MISSOURI.

Edward W. Flentge to be postmaster at Cape Girardeau, in the State of Missouri.

NEBRASKA.

James McNally to be postmaster at Edgar, in the county of Clay and State of Nebraska.

NEW HAMPSHIRE.

Prescott B. Kinsman to be postmaster at Somersworth, in the county of Strafford and State of New Hampshire.

NORTH DAKOTA.

Hans A. Alm to be postmaster at Hankinson, in the county of Richland and State of North Dakota.

J. L. Killion to be postmaster at Towner, in the county of McHenry and State of North Dakota.

Mathew Lynch to be postmaster at Lidgerwood, in the county of Richland and State of North Dakota.

RHODE ISLAND.

John A. Allen to be postmaster at Peace Dale, in the county of Washington and State of Rhode Island.

William M. Gorham to be postmaster at Bristol, in the county of Bristol and State of Rhode Island.

Benjamin B. Martin to be postmaster at Warren, in the county of Bristol and State of Rhode Island.

SOUTH DAKOTA.

O. H. La Craft to be postmaster at Clark, in the county of Clark and State of South Dakota.

William T. Ellis to be postmaster at Salem, in the county of McCook and State of South Dakota.

HOUSE OF REPRESENTATIVES.

SATURDAY, December 19, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

The SPEAKER. It is the duty of the Chair to call the attention of the House to the fact that the vote yesterday on ordering the previous question upon the resolution reported by the gentleman from Pennsylvania [Mr. WANGER] was incorrectly reported. The yeas were reported as being 108 and the nays 107. A correct count afterwards shows that the yeas were 107 and the nays 107—a tie vote. Therefore the motion upon ordering the previous question was lost. Without objection, the Journal will be amended in accordance with the facts, and all proceedings touching this resolution had subsequent to that erroneous announcement will be vacated. [After a pause.] The Chair hears no objection. The question now is upon the approval of the Journal as amended. Is there objection? [After a pause.] The Chair hears none, and the Journal is so approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 2218. An act granting an increase of pension to Amanda B. Tisdell;

S. 7. An act granting an increase of pension to Alfred Woodman;

S. 6. An act granting a pension to Cora M. Converse;

S. 8. An act granting an increase of pension to John Perry Kittridge;

S. 547. An act granting an increase of pension to Irving W. Coombs;

S. 1334. An act granting a pension to Amy C. Bosworth;

S. 1335. An act granting an increase of pension to Calvin Daws;

S. 13. An act granting an increase of pension to William Clark;

S. 1498. An act granting an increase of pension to Winslow P. Eayrs;

S. 137. An act granting a pension to Hannah Kelly;

S. 898. An act granting an increase of pension to John B. Carter;

S. 1705. An act granting a pension to Esther G. Wharton;

S. 1772. An act granting an increase of pension to Louise K. Bard;

S. 1497. An act granting an increase of pension to Walter F. Chase;

S. 172. An act granting a pension to Elizabeth McClaren;

S. 11. An act granting a pension to John L. Sullivan;

S. 9. An act granting an increase of pension to David E. Burbank;

S. 1913. An act granting an increase of pension to Lorenzo E. Harrison;

S. 1826. An act granting an increase of pension to Mary E. Cutts;

S. 1756. An act granting an increase of pension to Zebedee M. Cushman;

S. 471. An act granting an increase of pension to Silas Meserve;

S. 473. An act granting an increase of pension to Byron D. Babcock;

S. 549. An act granting an increase of pension to Stephen Thomas;

S. 798. An act granting an increase of pension to James A. Templeton;

S. 1259. An act granting an increase of pension to John M. Stanyan;

S. 565. An act granting an increase of pension to James E. Barnard;

S. 190. An act granting an increase of pension to Charles H. Bell;

S. 478. An act granting an increase of pension to Olive J. Bailey;

S. 12. An act granting an increase of pension to Francis E. Chase;

S. 112. An act granting an increase of pension to Henry G. Hammond;

S. 1825. An act granting a pension to Josephine L. Webber;

S. 1819. An act granting a pension to Charles P. Skinner;

S. 182. An act granting an increase of pension to Charles F. Holt;

S. 1755. An act granting an increase of pension to Thomas Banks;

S. 484. An act granting a pension to Nancy Marsh;

S. 14. An act granting an increase of pension to Samuel M. Perry;

S. 1827. An act granting an increase of pension to Harris A. P. Lewis;

S. 339. An act granting an increase of pension to Ebenezer H. Richardson;

S. 338. An act granting an increase of pension to Jane M. Watt;

S. 1832. An act granting an increase of pension to George W. Herron;

S. 847. An act granting a pension to John L. Beveridge;

S. 1402. An act granting an increase of pension to William Paul;

S. 2125. An act granting an increase of pension to Marcus T. Caswell;

S. 959. An act granting an increase of pension to Andrew C. Ranard;

S. 1491. An act granting an increase of pension to James A. Hoover;

S. 200. An act granting an increase of pension to Austin Almy;

S. 578. An act granting an increase of pension to John Bullamore;

S. 2078. An act granting an increase of pension to Hampton C. Watson;

S. 1952. An act granting an increase of pension to John Monahan;

S. 1437. An act granting an increase of pension to Clarence E. Bullard;

S. 458. An act granting an increase of pension to Charles Beattie;